

JUN 21 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#10B
7-11-02
P.2.

In re the application of: Carl H. June and
Craig B. Thompson

Group Art Unit: 1632

Examiner: Li, Qian J.

RECEIVED

JUL 01 2002

TECH CENTER 1600/2900

Serial No.: 09/707,087

Filed: November 6, 2000

For: *Methods for Modulating T Cell Survival by
Modulating BCL-X_L Protein Level*

Attorney Docket No.: RPI-034CPCN

COPY OF PAPERS
ORIGINALLY FILED

Commissioner for Patents
Washington, D.C. 20231

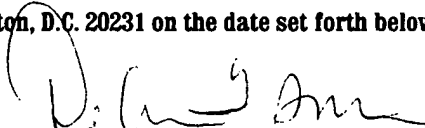
Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

June 6, 2002

Date of Signature and of Mail Deposit

By:


DeAnn F. Smith
Reg. No. 36,683

AMENDMENT AND RESPONSE

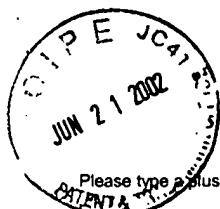
Dear Sir:

This is in response to the Office Action dated December 6, 2001 (Paper 7). The appropriate petition for Extension of Time along with the requisite fees based on large entity status is being filed concurrently herewith. Responsive to the Office Action, please amend the above-identified application as follows:

In the claims:

Please amend claim 1 as follows:

B' 1. (Amended) A method for protecting a T cell from cell death, comprising contacting the T cell *ex vivo* with at least two agents selected from the group consisting of an anti-CD28 antibody, an



COPY OF PAPERS
ORIGINALLY FILED

16328

Please type a plus sign inside this box ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/707087

Filing Date November 6, 2000

First Named Inventor Carl H. June

Group Art Unit 1632

Examiner Name Q. Li

Total Number of Pages in This Submission

29

Attorney Docket Number

RPI-034CPCN

RECEIVED

JUL 01 2002

TECH CENTER 1600/29C

ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☐ Fee Attached

☒ Amendment/Reply

☐ After Final

☐ Affidavits/declaration(s)

☒ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53

☐ Assignment Papers
(for an Application)

☒ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional
Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication
to Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s)
(please identify below)

Submission of Formal Drawings
Acknowledgment Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual Name

LAHIVE & COCKFIELD, LLP
DeAnn F. Smith - 36,683

Signature

DeAnn F. Smith

Date

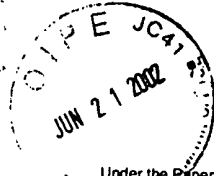
June 6, 2002

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: June 6, 2002

Signature: *DeAnn F. Smith*

(DeAnn F. Smith)



COPY OF PAPERS
ORIGINALLY FILED

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 920.00

C m p l t e i f K n w n	
Application Number	09/707087
Filing Date	November 6, 2000
First Named Inventor	Carl H. June
Examiner Name	Q. Li
Group Art Unit	1632
Attorney Docket No.	RPI-034CPCN

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account
Deposit Account Number 12-0080

Deposit Account Name Lahive & Cockfield, LLP

The Commissioner is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid
16	-20** =		x			0.00
2	-3** =		x			0.00
Multiple Dependent						

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	920.00
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					920.00

SUBMITTED BY

Name (Print/Type)	DeAnn F. Smith	Registration No. (Attorney/Agent)	36,683	Complete (if applicable)	
Signature				Telephone	(617) 227-7400
				Date	June 6, 2002

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: June 6, 2002

Signature: (DeAnn F. Smith)